

TED STATES DEPARTMENT OF COMMERC int and Trademark Office less: COMMISSIONER OF PATENTS AND TRADEMARKS Weshington, D.C. 20231

8ERÍAL NUMBER 077986,636	FILING DATE	CASAR PRST NAMED INVENTOR	P	MYOMAT BOCKET NO
0//986,630	12,0,,,,		SHIPPEN	, M
	12M2/0818		EXAMINER	
MARION MER	RELL DOW IN	D		C. C
2110 EAST	GALBRAITH RU	DAD		
P.O. BOX 1	.56300 , OH 45215-0	6300	ARTEUNAT	PAPER NUMBER
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is is a communication tro	m the examinar in charge o	of your application.		· '
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	•	•	17/92	•
: This application has be	en examined . MRs	esponsive to communication filed on $-\epsilon_{l}$	13/92 5	This action is made final.
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rtened statutory period a to respond within the	d for response to this ac	zion is set to expire $\underline{-} : \underline{-} : \square$ month(s), $\underline{-}$ ill cause the application to become abandone	days from	n the date of this letter.
:			J. 183 U.S.U. 183	4
THE FOLLOWING	ATTACHMENT(8) AR	E PART OF THIS ACTION:	•	·
Notice of Refere	nces Cited by Examine	r, PTO-892. 2. Notice	re Patent Drawing, I	PTO-948.
Notice of Art Cit	ed by Applicant, PTO-1			application, Form PTO-152
. 🔼 Information on H	low to Effect Drawing C	hanges, PTO-1474, 6,		<u>.</u>
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II SUMMARY OF A	CTION	**************************************		
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Serial Number: 07/986,636 -2-

Art Unit: 1204

Claim 1 is rejected under 35 U.S.C. § 112, first and second paragraphs. The claim language "and its pharmaceutically acceptable salts" literally requires the claim to read only on mixtures which does not appear to be intended. Language such as "or a pharmaceutically acceptable salt" or the like is suggested. The intermediate "4-formyl-3-hydroxy-1-butene" lacks support in the specification and as such does not appear to be intended. It appears that "4-formyloxy-3-hydroxy-1-butene" was intended. Also, step (a) appears to require the use of formic acid reactant which the claim fails to particularly point out. As the claim is presently written, the claim reads on carrying out such a step without the use of formic acid which lacks description or enablement in the specification as filed. The language of step (b) as to "its corresponding alcohol" is ambiguous since it is possible to convert the formate to more than one alcohol product depending on what is intended by "conversion". It is suggested that the alcohol be identified as "ethyl 6-hydroxy-4-hexenoate".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Michael L. Shippen** whose telephone number is **(703)-308-4635**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is **(703)-308-1235**.

MShippen August 17, 1993

> MICHAEL L. SHIPPEN PRIMARY EXAMINER ART UNIT 1204